IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

-

WRIT PETITION NO : 9090 of 1995

Between:

1. N.Yadaiah, son of Viswanadham, aged 42 years, Occ: Superintendent

APSHWCS Ltd., Narayanaguda, Hyderabad.

2. S.P.Vardhani, wife of A.Bhujanga Rao, aged 47 years, Occ: Manager, The APSHWCS Ltd., Narayanaguda, Hyderabad.

3. G.Damodar, son of G.Komaraiah, aged 42 years, Occ: Senior Asst., The APSHWCS Ltd., Narayanaguda, Hyderabad.

4. K.Sri Ramulu, son of Venkatesham, aged 42 years, Occ: Superintendent, The APSHWCS Ltd., Divisional Marketing Office , Nalgonda.

5. N.Rajkumar, son of Sree Ramulu, aged 41 years, Occ: Superintendent, The APSHWCS Ltd., Central Office Narayanaguda, Hyderabad.

6. R.V.Chalapathy, son of Subbaramanulu, aged 42 years, Occ: Senior Asst. The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

7. K.Udayawarlu, son of Krishna Murthy, aged 43 years, Occ: Assistant Marketing Officer, The APSHWCS Ltd., Central Office Narayanaguda, Hyderabad.

8. K.Ch.Krishna Rao, son of Krishna Rao, aged 51 years, Occ: Superintendent, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

9. B.Ramakrishnaiah, son of B.Vekata Subbaiah, aged 40 years, Occ: Junior Assistant, The APSHWCS Ltd., Central Office Narayanaguda, Hyderabad.

10. P.Sunki Reddy, son of P.Yella Reddy, aged 42 years, Occ: Junior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

11. Golkonda Ramulu, son of Sailu, aged 42 years, Occ: Attender, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

12. K.Rajender, son of K.Gokuldas, aged 42 years, Occ: Driver, The APSWCS Ltd., Central Office, Narayanaguda, Hyderabad.

13. P.Rajaiah, son of P.Chandraiah, aged 49 years, Occ: Driver, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

14. Syed Khaja Moinuddin, son of Syed Gouse, aged 43 years, Occ: Driver, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

15. N.Prabhakar, son of Mahankali, aged 40 years, Occ: Attender, The APSHWCS Ltd., Cetral Office, Narayanaguda, Hyderabad.

16. K.Anantha Ram, son of K.Chinnaiah, aged 42 years, Occ: Sales Man, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

17. D.Ranga Raju, son of Ramaraju, aged 41 years, Occ: Sales Man, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

18. D.Mallaiah, son of D.Yellaiah, aged 44 years, Occ: Inspecting Officer/Manager, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

19. A.Jaganadham, son of A.Anjaiah, aged 45 years, Occ: Attender, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

20. C.A.Prabhakar, son of Late Shankar Nair, aged 41 years, Occ: Assistant Marketing Officer, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

21. D.V.Rao, son of DRK. Murthy, aged 33 years, Occ: Junior Assistant, The APSWCS Ltd., Central Office, Narayanaguda, Hyderabad.

22. L.Vasudev, son of L.Govinda Rao, aged 38 years, Occ: Attender, The APSWCS Ltd., Central Office, Narayanaguda, Hyderabad.

23. V.Ashok Kumar, son of V.Narayan Rao, aged 33 years, Occ: Junior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

24. V.Sadanandam, son of V.Dhanaiah, aged 41 years, Occ: Superintendent, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

25. N.Sudhakar, son of N.Sreeramulu, aged 38 years, Occ: Superintendent, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

26. C.Kanaka Ratnam, son of Lakshmi Narayana, aged 39 years, Occ: Assistant Marketing Officer, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

27. K.Venkatanna, son of Thippanna, aged 41 years, Occ: Senior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

28. M.Savithra, wife of M.Subramanyam, aged 40 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

29. K.Sita, wife of G.Seetharamachary, aged 41 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

30. G.Lakshmi Narsimulu, son of late G.B.Narasimulu, aged 39 years, Occ: Senior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

31. B.Kishan Prasad, son of B.Rajeshwar Rao, aged 39 years, Occ: Superintendent, The APSWCS Ltd., Divisional Marketing Office, Secunderabad.

32. K.Sharada, wife of K.V.Ramchander, aged 40 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

33. D.V.Aruna, wife of D.Sudhakar, aged 38 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

34. D.Ramalakshmi, wife of D.V.Krishnaiah, aged 50 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

35. Kishwersultan, wife of M.M.A.Ansari, aged 34 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

36. V.Koteshwar Rao, son of V.Koteshwar Rao, aged 34 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

37. Y.Ashok, son of Y.Shankaraiah, aged 38 years, Occ: Senior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

38. C.Vijayadurga, wife of V.Nagaraju, aged 35 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

39. M.Varalakshmi, wife of M.Venkateswar Rao, aged 50 years, Occ: Junior Assistant Typist, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

40. S.Amba bai, wife of late S.Mallaiah, aged 32 years, Occ: Attender, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

41. M.Kousalya, wife of late M.Chandraiah, aged 37 years, Occ: Attender, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

42. S.Narsamma, wife of S.Tippanna, aged 53 years, Occ: Sweepress, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

43. S.Gangadhar Tilak, son of Ganga Ram, aged 40 years, Occ: Junior Assistant, The APSHWCS Ltd., Divisional Marketing Office, Secunderabad.

44. S.Machander, son of Vittaldas, aged 38 years, Occ: Junior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

45. S.Sairaj, son of S.Ramchander Rao, aged 40 years, Occ: Attender, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

46. K.Yegappa, son of Vishwanath Rao, aged 35 years, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

47. S.Deva, son of S.Lingamaiah, aged 35 years, Occ: Attender, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

48. Ganga Ramulu, son of G.Bhimaiah, aged 35 years, Occ: Attender, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

49. M.V.K.Prasad, son of late M.S.Raju, aged 30 years, Occ: Attender, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

50. C.Chander Shekar, son of late C.Venkat Rao, aged 42 years, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

51. G.Lakshmi Narayana, son of G.V.Narsingh Rao, aged 44 years, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

52. J.Subhaseni, D/o J.P.Sharma, aged 34 years, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

53. Ch.V.S.Nag Dev, son of Ch.S.N.Murthy, aged 38 years, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

54. N.Srinivasamma, wife of N.Jaganath Rao, aged 37 years, Occ: Typist, The

APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

55. Y.Janardhan, son of late Y.Raghavendra Rao, aged 30 years, Occ: Junior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

56. B.Hanumanthu, son of B.Mallaiah, aged 43 years, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

57. R.Lakshmi, wife of late R.Narsing Rao, aged 40 years, Occ: Junior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

58. P.Suresh Kumar, son of late P.Vittal Rao, Occ: Senior Assistant, The APSHWCS Ltd., Central Office, Narayanaguda, Hyderabad.

..... PETITIONERS

AND

1. The Managing Director, A.P., State Handloom Weavers Cooperative Society Limited, Central Office, Narayanaguda, Hyderabad.

2. Government of A.P., represented by its Secretary, Industries and Commerce (Hand Looms) Department, Government of A.P., Secretariat, Hyderabad.

3. The Secretary to General Administrative Department, Government of A.P., Secretariat, Hyderabad.

4. The Secretary to Finance and Planning, Government of A.P., Secretariat, Hyderabad.

5. Commissioner of Handlooms and Director of Handlooms and Textiles, Govt. of A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Order, direction or writ, particularly one in the nature of writ of Mandamus to declare the action of the 1st respondent in not releasing the payment of bonus to the petitioners, in spite of earmarking Rs.30 lakhs towards payment of bonus to the employees of 1st respondent, society for the year 1993-94 and disobeying the Orders of the 3rd respondent vide letter No.495/pe-1/A1/88-859 dated 26.09.1994 in which instructions were issued for payment of bonus in respect of organizations, whose accounts of 1993-94 have been finalized, as highly illegal, irregular, contrary to the principles of natural justice, equity and fair play and direct the 1st respondent

herein to pay bonus as per the proviso to Section 3 of the Bonus Act, 1965 for the year 1993-94 to the petitioners forthwith.

Counsel for the Petitioners: MR.CH.GANESH

Counsel for the Respondents: MR.P.NAGASESHAIAH, G.P. FOR INDUSTRIES.

The Court made the following :

ORAL ORDER:

When the matter is called for hearing on 02.09.2004, none appeared for the petitioners. Hence, the matter is posted to today i.e., 09.09.2004 under the caption “

for dismissal". Even today also, when the matter is called, none appeared for the petitioners and there is no representation on behalf of the petitioners.

Therefore, the writ petition is dismissed for non-prosecution. No costs.

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09th September 2004.

*Bsb/Knk

ASSISTANT REGISTRAR

// TRUE COPY//

SECTION OFFICER

To

1. The Managing Director, A.P., State Handloom Weavers Cooperative Society Limited, Central Office, Narayanaguda, Hyderabad.
2. The Secretary, Industries and Commerce (Hand Looms) Department, Government of A.P., Secretariat, Hyderabad.
3. The Secretary to General Administrative Department, Government of A.P., Secretariat, Hyderabad.
4. The Secretary to Finance and Planning, Government of A.P., Secretariat, Hyderabad.
5. The Commissioner of Handlooms and Director of Handlooms and Textiles, Govt. of A.P., Hyderabad.
6. Two CCs to the Government Pleader for Industries, High Court Buildings, Hyderabad (OUT).
7. Two CD copies